

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DONALD ISAAC JOHNSON,

Plaintiff,

V.

## STATE OF WASHINGTON,

**Defendant.**

CASE NO. C15-5483 BHS

## ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation ("R&R")

of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 7. The Court

having considered the R&R and the remaining record, and no objections having been

filed, does hereby find and order as follows:

(1) The R&R is ADOPTED; and

(1) The R&R is **ADOPTED**; and

(2) Plaintiff's application to proceed in forma pauperis is **DENIED**, Plaintiff's

complaint is **DISMISSED** without prejudice on the grounds that it is frivolous,

malicious, and fails to state a claim upon which relief may be granted. The dismissal shall

count as a strike under 28 U.S.C. § 1915(g).

Dated this 4th day November, 2015.



BENJAMIN H. SETTLE  
United States District Judge